



January 29, 2004

TERENCE L. BLACKBURN
Dean

Michigan Supreme Court
Michigan Hall of Justice
P.O. Box 30104
Lansing, Michigan 48909

FEB 12 2004

RE: ADM File Nos. 2002-06 and 2003-02

May It Please The Court:

I write here on behalf of Michigan State University - DCL College of Law to oppose the proposed amendment of the Rules for the Board of Law Examiners regarding the eligibility of bar candidates who hold an LLM degree.


The Board of Law Examiners has recommended that the Court enact this change without revealing what, if any, problems have been created by the current requirements which permit LLM students to take the Michigan Bar Examination. The Board's recommendation references the position of the ABA Council of the Section of Legal Education. The Council's consistent position has been to state that advanced legal degree programs are not accredited by the ABA, nor do they replace the Juris Doctor degree. At MSU-DCL, we concur with that position.

However, the students admitted to the LL.M. program for foreign lawyers or other LL.M. programs have earned either the Juris Doctor degree or the fundamental law degree of their country. As a condition of admission to the program, they must demonstrate that they have an solid understanding of legal theory and constructs and a commitment to the rule of law in addressing the problems of today's society.

Today we live in a global community. To surmise that those whose legal training has been in a foreign country are *de facto* inferior to others is to adopt a very parochial view. No damage will be done by allowing these individuals to sit for the bar exam. If the test is truly valid, and if their education preparation has indeed been inadequate, they will fail the exam and thus will not be accepted for practice. On the other hand, those foreign LLM student who do pass the Bar examination have demonstrated the sufficiency of their training pursuant to the same objective standards applied to JD students, and should therefore be permitted to practice in the state.

I urge the Court to reject this proposal and to continue to respect the diversity of opinions and perspectives which can only enrich the legal community.

Sincerely,


Terence L. Blackburn
Dean and Professor of Law

TLB/ch
c: Mr. Corbin Davis

